

Remarks

Claims 42-48, 52-56, 59, 62-66, 69 and 72-74 are pending in the instant application on entry of the present amendment. As agreed in the telephone interview with the Examiner on August 11, 2003, claim 42(f) has been amended to recite "excluding the signal sequence," and to remove the recitation of "expressed by a recombinant cell" and "wherein said amino acid sequence is encoded by the cDNA plasmid contained in ATCC Deposit No. 75927." Support for the amended claim is found throughout the specification as originally filed and in the claims pending in the instant application prior to entry of the present amendment. Accordingly, no new matter has been added to the claims.

Applicants respectfully request that the amendments and remarks of the present response be entered and made of record in the present application.

I Rejections Under 35 U.S.C. § 112, second paragraph

A. The Examiner has maintained the rejection of independent claim 42 as well as claims 48, 52, 53 and 54, which depend therefrom, under 35 U.S.C. § 112, second paragraph, as allegedly being "indefinite because they recite the term 'a polypeptide having the amino acid sequence expressed by a recombinant cell'." See, Paper No. 33, page 2.

The Examiner's attention is respectfully directed to presently amended claim 42, as well as claims 48, 52, 53 and 54, which have been amended herein in light of the telephone conference on August 11, 2003. Applicants believe that the present amendment addresses the Examiner's concerns and that the metes and bounds of the claims are clear.

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Accordingly, Applicants respectfully request that the present rejection of claims 42, 48, and 52-54 under 35 U.S.C. § 112, second paragraph, be reconsidered and withdrawn.

Conclusion

Applicants respectfully request that the amendment and remarks of the present response be entered and made of record in the present application. The present application is believed to be in condition for allowance. Early notice to that effect is earnestly solicited. If, in the opinion of the Examiner, a telephone conference would expedite prosecution, the undersigned can be reached at the telephone number indicated below. If a fee is required in connection with this paper, please charge Deposit Account No. 08-3425 for the appropriate amount.

Respectfully submitted,

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Enclosures
KKH/LJH/BM/lcc

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